

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:13-cv-00159-FDW-DCK

JEFFREY RANDOLPH WATTERSON and)
RANDOLPH ALEXANDER WATTERSON,)

Plaintiff,)

vs.)

WOODY BURGESS, JASON GREEN,)
FRANKIE DELLINGER, JENNIFER HOYLE,)
DAVID HODKINS, BOB AUSTELL, MIKE)
ALLRED, DAVID HODKINS, CITY OF)
CHERRYVILLE, BEN BLACKBURN,)
SELECTIVE INS. OF S.C., CHERRYVILLE)
CITY POLICE DEPARTMENT AND)
CHERRYVILLE UTILITIES DEPT.,)

Defendants.)

ORDER and NOTICE OF HEARING

THIS MATTER is before the Court, *sua sponte*, concerning the joint pretrial submissions from the parties. The Court's standing orders and the Case Management Order in this case (Docs. Nos. 57, 73) require the parties and counsel for the parties to jointly prepare and submit one proposed pretrial order to the Court. This case, however, presents a unique challenge in that one of the plaintiffs, Randolph Alexander Watterson, is incarcerated in a state prison facility in Spruce Pine, North Carolina, which is approximately 120 miles from Charlotte, North Carolina. In light of the logistical difficulties of multiple parties and attorneys conferring with Randolph Watterson to produce a joint pretrial submission, the Court hereby Orders that Plaintiffs and Defendants separately prepare and submit one proposed pretrial order for their respective side in this case. In other words, the two Plaintiffs shall work with each other to submit one jointly-prepared proposed pretrial order, and all Defendants shall confer amongst them to produce one jointly-prepared

proposed pretrial order. Both sides' proposed pretrial orders shall be filed with the Court by Monday, January 23, 2017; served on the opposing parties, and must comply with the requirements set forth in the Court's standing orders and case management orders for this case (see Doc. No. 73, p. 8-15). Columns for agreeing to stipulations and making objections shall be included and left blank, to be completed by the opposing parties.

The Court will conduct a pretrial conference in this matter on January 30, 2017, immediately prior to jury selection. The parties shall come prepared with a written copy of stipulations and objections to any portions they have for the opposing parties' proposed pretrial order. Such stipulations and/or objections may be typed or hand-written into the appropriate columns. The parties shall bring at least three (3) copies of their written stipulations and objections, so that one may be retained by the parties, one delivered to the opposing party, and one filed by the Court.

Finally, the parties are hereby cautioned that failure to properly adhere to the requirements and directives in the case management order or any untimely submissions under this order could result in the waiver of objection to and/or exclusion of evidence, testimony, and other limitations on the presentation of this case at trial.

TAKE NOTICE that a pretrial conference to discuss the parties' pretrial submissions shall be held at 9:00 a.m. on January 30, 2017, in Courtroom #1-1 of the Charles R. Jonas Federal Building, 401 W. Trade Street, Charlotte, North Carolina, 28202.

IT IS SO ORDERED.

Signed: January 12, 2017



Frank D. Whitney
Chief United States District Judge

